

REMARKS

Applicants respectfully request that the above-identified application be reexamined.

The April 10, 2007, Office Action ("Office Action") rejected all of the claims in this application. More specifically, Claims 1-17 were rejected under 35 U.S.C. § 101 on the grounds that the claimed invention was directed to nonstatutory subject matter. The language of Claims 1-17 has been amended to obviate this rejection by reciting that these claims are directed to a portal server, a hardware device, clearly statutory subject matter. Thus, this rejection will not be discussed further. Claims 1-5 and 18-23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application No. 2004/0205727 ("Sit et al."). Claims 6-16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0167896 ("Eakin"). Claim 17 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2004/0167896 ("Eakin") in view of U.S. Patent Publication No. 2004/0220915 ("Kline et al."). In addition, Claim 1 was objected to because of an informality. Claim 1 has been amended so as to obviate the informality. Thus, this objection will not be discussed further.

While applicants respectfully disagree with the rejection of the claims, in order to advance the prosecution of this application, various minor clarifying amendments have been made to the language of the claims. Applicants respectfully submit that all the claims in this application are clearly allowable in view of the teachings of the cited and applied references.

Prior to discussing in detail why applicants believe that all the claims in this application are allowable, a brief description of the disclosed subject matter and brief descriptions of the teachings of the cited and applied references are provided. The following discussions of the disclosed subject matter and the cited and applied references are not provided to define the scope or interpretation of any of the claims of this application. Instead, these discussions are provided

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to help the United States Patent and Trademark Office better appreciate important claim distinctions discussed thereafter.

Disclosed Subject Matter

A network portal for aggregating, prioritizing, presenting application issue data received from independent software vendors is disclosed. The application issue data regards defects, test results, etc. Software modules included in a portal server prioritize the data based on criteria provided by the ISVs. In one form, a portal server provides a Web page that enables each ISV to view the application issue data, select the application issue data relevant to each ISV, and have the selected data presented in various customized views.

The application issue aggregation and prioritization module obtains application issue data through a network interface to a plurality of ISVs. The module then aggregates the issues that pertain to a particular application and prioritizes the aggregated issues according to criteria. The ISVs access the module through a second interface to obtain the aggregated and prioritized data. Many advantages of the network portal are provided by the user interface and the functions immediately behind the interface.

U.S. Publication No. 2004/0205727(Sit et al.)

Sit et al. discloses an online analytical processing (OLAP) network application for processing and presenting data relating to software defects. OLAP can be applied to large commercial, business, and military software projects, as well as smaller projects. The emphasis is on projects, i.e., projects that usually have a defined end date within one organization or a group of organizations behaving as one organization.

Sit et al. describes the analysis of the data, not the prioritization, distribution, and presentation of the data. Sit et al. users are typically in-house software developers and testers who characterize the data during the process of entering the data.

U.S. Patent Publication No. 2004/0167896 (Eakin)

Eakin discloses a content management portal that includes a user interface configured to receive information from a client via a Web browser. The information is associated with a human readable digital asset, wherein the Web browser presents a graphical user interface configured to render a representation of the human readable digital asset. A content management portal further includes a management engine coupled to the user interface and configured to use a hypertext markup language tag library to communicate with a Web compatible storage device.

United States Patent Application Publication No. 2004/0220915 (Kline et al.)

Kline et al. discloses search queries that are used to assess performance of search listings that are filtered such that the remaining search queries more accurately represent behavior of human users genuinely looking for information in a search engine. Search queries that come from unrecognized user agents or that come from the same network addressed too closely together or too regularly are removed. If a volume of search queries for a given search term in a given period of time exceeds an expected volume, search queries for that term are discarded.

Rejection of Claims 1-5 and 18-23 Under 35 U.S.C. § 102(e) Based on Sit et al.

As amended, Claim 1 reads as follows.

A portal server for a network of computing devices for aggregating application issue data from a plurality of independent software vendors (ISVs) accessible by one or more application developers of the ISVs via a network computing device, the portal server comprising:

a data interface for accessing a plurality of application issue data sources for obtaining application issue data regarding one or more applications associated with each of the ISVs;

a network interface accessible by each of the one or more application developers; and

an aggregation module for aggregating the application data by application and for presenting to each of the one or more application developers via the network interface a customizable user interface that presents aggregated data regarding only the one or more applications

associated with that ISV and omitting application data for applications not associated with that ISV.

Remarks accompanying the rejection of Claim 1 in the Office Action read as follows:

As per Claim 1, Sit discloses a portal for aggregating application issue data for access by one or more application developers comprising:
a data interface to a plurality of application issue data sources for obtaining application issue data regarding one or more applications (in paragraph [0004]" . . . identify software defects . . .") associated with each of the one or application developers (paragraph [0030] accessed by end user operating an OLAP presentation tool 60 of FIG. 1);
a network interface accessible by each of the one or more application developers (in paragraph [0184]" . . . component that is accessed by project engineers . . ."); and
an aggregation module for aggregating the application data by application and for presenting to each of the one or more application developers via the network interface a customizable user interface that presents aggregated data regarding only the one or more applications associated with that application developer (in paragraph [0044]" . . . aggregation function . . .") and omitting application data for applications not associated with that application developer (e.g. FIG. 3, Dimensional data generator 94 and related text). (Emphasis added.)

Applicants respectfully disagree that Sit et al. discloses a customizable user interface that presents aggregated data regarding only the one or more applications associated with an application developer as recited in Claim 1. The sentence referring to "aggregation function" in paragraph [0044] of Sit et al. reads:

Its aggregation function is set as COUNT and it maps to the AGE column in the DefectFact table 72.

Applicants submit that the aggregation function of Sit et al., in and of itself, does not include a customizable user interface, does not provide the function of a customizable user interface, and is not by itself capable of providing data regarding only the one or more applications associated with an application developer. Hence, Sit et al. does not teach or even remotely suggest an aggregation module for aggregating application data by an application and for presenting to each of the one or more application developers via the network interface a customizable user interface

that presents aggregated data regarding only the one or more applications associated with that application developer. As a result, applicants respectfully submit that Claim 1 is allowable in view of the teachings of Sit et al.. Applicants further submit that all of the claims directly or indirectly dependent from Claim 1 (Claims 2-5) are allowable for at least the reasons that Claim 1 is allowable.

As amended, Claim 18 reads as follows:

A method of presenting application issue data regarding one or more software applications to a developer of the one or more software applications comprising: gathering application issue data from a plurality of data sources;

aggregating application issue data such that application issues pertaining to the same application are grouped together; and

presenting the aggregated application issue data visually to the developer of the one or more software applications.

Remarks accompanying the rejection of Claim 18 in the Office Action state that:

aggregating application issue data such that application issues pertaining to a same application are grouped together (in paragraph [004] ("... aggregation function...")):

Applicants note that the aggregation function of Sit et al. as described in paragraph [0044] of Sit et al. only maps to a specific column, i.e., the age column in the DefectFact table 72. This is not the same as having application issues pertaining to a same application being grouped together as recited in Claim 18. Hence, Sit et al. does not teach or even remotely suggest an aggregation module for aggregating application data such that application issues pertaining to a same application are grouped together. As a result, applicants respectfully submit that Claim 18 is allowable in view of the teachings of Sit et al. Applicants further submit that all of the claims directly or indirectly dependent from Claim 18 (Claims 19-23) are allowable for at least the reasons that Claim 18 is allowable.

Rejection of Claims 6-16 Under 35 U.S.C. § 102(e) as Being Anticipated by Eakin

Claim 6 reads as follows:

A web portal user interface for presenting application issue data to a user comprising:

a search pane for user entry of at least one search term, whereby entry of at least one search term coupled with a run command will cause a search to be executed of aggregated application issue data;

a task pane for user selection of a format for display of application issue data; and a content pane for display of application issue data.

Remarks accompanying the rejection of Claim 6 in the Office Action read as follows:

As per Claim 6, Eakin discloses a web portal user interface for presenting application issue data to a user (paragraph [0029]" . . . through a portal or gateway 104 of Figure 1) comprising:

a search pane for user entry of at least one search term (e.g. Figure 5 and related text), whereby entry of at least one search term coupled with a run command will cause a search to be executed of aggregated application issue data (paragraph [0117]" . . . look up table . . .search of column two . . .");

a task pane for user selection of a format for display of application issue data (e.g. Figure 8(a), 808 and related text; and

a content pane for display of application issue data (abstract" . . . displaying said error from on a requesting . . ." and e.g. Figure 8(a), 810 and related text). (Emphasis added.)

Applicants note that Eakin does not include a paragraph [0117]. Applicants assume the intended reference is to paragraph [0017], which reads as follows:

FIG. 5 is a flow diagram illustrating an embodiment of a method for managing digital assets that can be implemented using a content portal as shown in FIG. 4.

Applicants submit that in Eakin the interface 410, shown in Figure 4 of Eakin, is a data interface and not a user interface because there is no reference to a user or a user interface in Figure 4. There is no mention or indication in the remarks or Figures 4 and 5 of a search pane for user entry of at least one search term. Hence, Eakin does not teach or remotely suggest a search pane

for user entry of at least one search term. As a result, applicants respectfully submit that Claim 6 is allowable in view of the teachings of Eakin. Applicants further submit that all of the claims directly or indirectly dependent from Claim 6 (Claims 7-16) are allowable for at least the reasons that Claim 6 is allowable.

Rejection of Claim 17 Under 35 U.S.C. § 103(a) Over Eakin in View of Kline et al.

Claim 17 reads as follows:

The portal according to claim 6, wherein the search pane comprises selectable search filters.

Remarks accompanying the rejection of Claim 17 in the Office Action read as follows:

Eakin does not explicitly disclose wherein the search pane comprises selectable search filters. However, Kline discloses a clean search aggregator 506 of FIGURE 5 to form a clean aggregated window 508 of FIGURE 5. Aggregated window 508 above suggest that 2,000 searches are expected for a give term from a given source and within a given marketplace. In addition, Kline discloses search data analysis module 408 of FIGURE 4 randomly selects 400 searches from the 2,400 searches, which are not yet identified as illegitimate by raw search filter 404 of FIGURE 4 and randomly selected searches as illegitimate (paragraph [0093]. Therefore it would have been obvious to include --- and Kline to detect unexpected changes in search behavior as once suggested by Kline (paragraph [0068]).

Applicants respectfully agree that Eakin does not disclose a search pane comprising selectable search filters. Applicants respectfully disagree that the clean search aggregator of Kline et al. is the same as the search pane comprising selectable search filters as recited in Claim 17. According to paragraph [0068] of Kline et al., the clean search aggregator receives clean search data feed from which illegitimate searches have been removed. In contrast, the search pane of Claim 17 includes selectable search filters. Hence, even if it would have been obvious to one of ordinary skill in the art to combine the teachings of Eakin and Kline et al., which applicants deny, the resulting combination would not meet the recitations of Claim 17 taken in combination

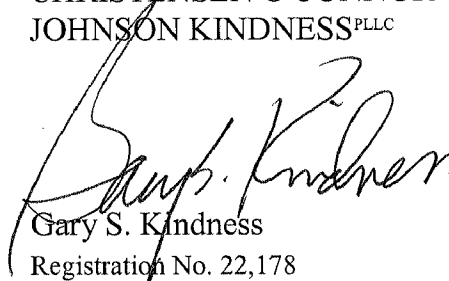
with the recitations of Claim 6. As a result, applicants respectfully submit that Claim 17 is allowable in view of the teachings of Eakin and Kline et al., separately and in combination.

CONCLUSION

In view of the foregoing remarks applicants respectfully submit that all the claims in this application are allowable. Consequently, early and favorable action passing this application to issue is respectfully solicited. If the Examiner has any further questions, the Examiner is invited to contact applicants' attorney at the number set forth below.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Gary S. Kindness", is written over the printed name and firm name.

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